

118TH CONGRESS
1ST SESSION

H. R. 5540

To provide for the Secretary of Health and Human Services to maintain a national list of licensed private child placement agencies, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 18, 2023

Mr. LAMBORN (for himself, Ms. KUSTER, and Mr. SMUCKER) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To provide for the Secretary of Health and Human Services to maintain a national list of licensed private child placement agencies, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “In Good Standing
5 Adoption Agencies Act of 2023”.

1 **SEC. 2. NATIONAL LIST OF LICENSED CHILD PLACEMENT**
2 **AGENCIES.**

3 (a) IN GENERAL.—Section 474 of the Social Security
4 Act (42 U.S.C. 674) is amended by adding at the end the
5 following:

6 “(h) NATIONAL LIST OF LICENSED CHILD PLACE-
7 MENT AGENCIES.—

8 “(1) STATE REPORTING.—

9 “(A) IN GENERAL.—Not later than Janu-
10 ary 1 of each fiscal year, a State with a plan
11 approved under this part for the fiscal year
12 shall submit to the Secretary a list of private
13 child placement agencies that, as of the end of
14 the preceding fiscal year, were licensed or ac-
15 credited by, and in good standing with, the
16 State and exempt from Federal income tax by
17 reason of section 501(c)(3) of the Internal Rev-
18 enue Code of 1986.

19 “(B) CHILD PLACEMENT AGENCY.—In
20 subparagraph (A), the term ‘child placement
21 agency’ means an agency that places children in
22 prospective adoptive homes.

23 “(2) NATIONAL LIST.—The Secretary, through
24 the United States Children’s Bureau, shall compile
25 and maintain a publicly available list consisting of

1 each list most recently submitted by a State under
2 paragraph (1).

3 “(3) ANNUAL REPORTS TO CONGRESS.—Not
4 later than the 2nd December 31 after the date of
5 the enactment of this subsection, and annually
6 thereafter, the Secretary shall submit to the Con-
7 gress a written report that contains the list main-
8 tained under paragraph (2) and identifies any child
9 placement agency that is licensed by a State and is
10 not on the list, and a specification of any discipli-
11 nary actions that a State has taken against a private
12 child placement agency.”.

13 (b) LOSS OF ELIGIBILITY FOR ADOPTION AND
14 LEGAL GUARDIANSHIP INCENTIVE PAYMENTS FOR FAIL-
15 URE OF STATE TO COMPLY WITH LIST SUBMISSION RE-
16 QUIREMENT.—Section 473A(b) of such Act (42 U.S.C.
17 673b(b)) is amended—

18 (1) by striking “and” at the end of paragraph

19 (3);

20 (2) by striking the period at the end of para-
21 graph (4) and inserting “; and”; and

22 (3) by adding at the end the following:

23 “(5) the State has complied with section
24 474(h)(1) with respect to the preceding fiscal year.”.

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